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page

SAMPLE

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sue beginning
Dec 2019

* 3 yrs *

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK X

JOHN SHICOBRA Young,

Plaintiff

- against -

NEW YORK STATE DEPARTMENT OF
CORRECTIONS AND COMMUNITY SUPERVISION

VERIFIED

AMENDED COMPLAINT

PRO-SE

22 cv () ()

STEWART T. ECHERT;
 JACQUELINE LEVITT, MA; BETTY
 JO GABEL; ELLEN MARRONE;
 LUIS URBAN, DEPUTY SUPERINTENDENT
 OF PROGRAMS WENDE CORRECTIONAL FACILITY;
 JOHN GULLO, AUDIOLOGIST; CHRISTOPHER
 ZALUSKI; W. ION, TIME MANUAL
 COMMUNICATOR, WENDE CORRECTIONAL FACILITY;
 Christopher Wilkins, SENIOR OFFENDER REHABILITATION
 COORDINATOR;

TROUD BY JURY
 DEMANDED

Defendants.

Sued in their individual and official capacity,

X

PRELIMINARY STATEMENT

INDEED This is a civil right action filed by John Shicobra Young, a deaf incarcerated individual currently in the care custody and control of New York Department of Corrections and Community Supervision ("DOCS") pursuant to 42 U.S.C.

1985 and 1986
 Section(s) 1983 for violations of Title II of the Americans with Disabilities Act, 42 U.S.C. Sections 12101-12132 et seq; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Section 794 cas; New York Human Rights Law, Executive Law Section 290; the 1st, Eighth, and fourteenth Amendments to the United States Constitution and; Article 1 Section(s) 5 ³, 11 of the New York State Constitution against DOCS, individual defendants Stewart T. Eckert, Betty Jo Gabel Jacqueline Hewitt, MD, Elena Martone, Christopher Zalaski, Luis Urban, W. Ion, John Gurlo, Christopher Wilkins,

For the Failure to accommodate a sensorial disability, deliberate indifference to serious medical care, and discrimination.

JURISDICTION AND VENUE

1. This court has "federal question" jurisdiction over this matter pursuant to 28 U.S.C. Section
2. This court has further supplemental jurisdiction over Plaintiff's state tort claims pursuant to 28 U.S.C. Section
3. The Western District is the proper venue for this action pursuant to 28 U.S.C. Section

PRAYER BY JURY DEMAND

→ the Plaintiff demands a trial by jury for this action

PARTIES

5. John Shicobra Young, proceeding pro-se is incarcerated at Wende Correctional Facility, 3640 Wende Road, Alden, New York 14004-1187. In Erie County, N.Y.

6. The Pro-se plaintiff is bilaterally deaf. A fact known to all defendants, employees, contractors and volunteers.

7. Plaintiff's primary language is American Sign Language. ("ASL")

8. Plaintiff has been in the care custody and control of DOCS continuously since 1986.

Fold
CORNER

CAUSES OF ACTION

COUNT ONE

LAST
PAGE
OF Complaint

RELIEF REQUESTED

W H E R E F O R E , the pro-se plaintiff herein prays for the following relief to be granted by the Court:

- a) Punitive Damages ;
- b) Compensatory Damages ;
- c) Declaratory Judgment ;
- d) Injunctive Relief and ;
- e) Reasonable attorney fees with
Cost of litigation pursuant to 42
U.S.C. Section _____ and 29 U.S.C.
Section 794

And for further equitable relief as the Court deems just and proper.

Dated: 1-29, 2023
Alden, NY

Respectfully Submitted,

John Shicobra Young
86-A-
Plaintiff Pro-se
Wende Correctional Facility
3040 Wende Road
Alden, NY 14004-1187
(716) 937-4000

VERIFICATION

STATE OF NEW YORK)
COUNTY OF ERIE)

22 cv
WDNY

Filed July 2, 2023
Being sworn to by
the 2023
several

I John Shroobra Young, I am the
Pro-se Plaintiff in the foregoing action.

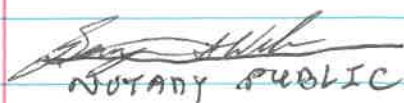
That I have full knowledge of the foregoing
Verified Complaint of Young v. NYS Dep't Corr
Services and Superv, et al, I believe the allegations
to be true and as to those stated upon information
and belief, deponent believes them to be true to
the best of his knowledge.

Dated: 1-29, 2023
Alden, N.Y.

Respectfully submitted,

John Shroobra Young
86A2673
Plaintiff Pro-se
Wende Correctional Facility
3040 Wende Rd
Alden, N.Y. 14004-1157
(716) 937-4000

Sworn to before me
this 29 day of January, 2023


NOTARY PUBLIC

Benjamin A. Wilson
Notary Public, State of New York
Reg. No. 01W16298376
Qualified in Erie County
Commission Expires 3/10/2026

WENDE CORRECTIONAL FACILITY
Wende Rd., P.O. Box 1187
Alden, New York 14004-1187

NAME:

Sticobes Young

DIN:

3644673

22CV6555

WENDE

X

CORRECTIONAL FACILITY



NEOPOST

FIRST-CLASS MAIL

01/30/2023

US POSTAGE

\$000.60

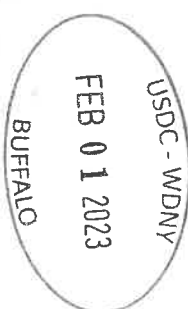


ZIP 14004

041M11281621

LEGAL MAIL

*UNITED STATE DISTRICT COURT
WESTERN DISTRICT OF NY,
3 NIGRA SQUARE
BUFFALO, NEW YORK 14203*



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